

Tom Horne
Superintendent

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ARIZONA DEPARTMENT OF EDUCATION

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HORNE APPEALS JUDGE'S ENGLISH LANGUAGE LEARNER RULING, CALLS ON ARIZONA CONGRESSIONAL DELEGATION FOR ASSISTANCE

PHOENIX (Friday, March 17, 2006) - State schools chief Tom Horne stated today that his attorney is immediately going to the 9th U.S. Circuit Court of Appeals to seek a stay of the U.S. District Court orders regarding the funding of English language learners, including today's order.

The order handed down today requires the distribution of accumulated \$21 million in state fines to supplement, and not supplant, other state requirements for funding English language learner programs.

Horne is also calling on the Arizona congressional delegation to seek clarifying legislation to limit the federal Equal Education Act of 1974 {20 U.S.C. § 1703 (f.)} to its original purpose of preventing discrimination and to not permit that law to be used by a federal court to micromanage any state's education funding system.

"I have consistently argued that while it is good policy to ensure that everything is being done to teach English to English language learners as quickly as possible, this is properly a legislative function; details of education policy should not be dictated to the state by a federal court. Today's ruling strengthens my resolve to stand up for that principle," Horne said.

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